

REMARKS

The Amendments

Applicants have amended the specification to set forth the priority claim to earlier filed applications as set forth in the Application Data Sheet submitted on September 30, 2005.

Applicants have cancelled claims 1-32, 34, 44-50, 53-56, 68, 69, 71 and 72 without prejudice. Applicants expressly reserve their right to pursue the subject matter of the withdrawn claims in one or more continuation and divisional applications.

Applicants have amended claims 33, 42, 57, 64, 66, 67 and 70 to remove references to non-elected subject matter. Applicants have amended claims 33, 35-37, 39, 40, 42, 58, 61 and 64 to improve their form. Applicants have amended claim 33 to incorporate subject matter from cancelled claim 34. Applicants have amended claims 33, 37-39, 42, 51, 52, 57, 59-62, 64, 66 and 70 for clarity. Support for the amendments of claims 40 and 62 can be found in the application as filed, e.g., at page 42, lines 1-3 and page 19, lines 15-17. Applicants have amended claims 36, 39-43, 60-63, 65, 67 and 73 to correct their antecedent basis. Applicants have amended claims 37, 39, 40, 42, 66 and 73 to correct their dependencies.

Applicants have added new claims 74-76. Support for these claims can be found in the application as filed, e.g., at page 25, lines 16-17; page 42, lines 1-3; and page 19, lines 15-17.

No new matter is introduced by the amendments. Upon entry of the amendments, claims 33, 35-43, 51-52, 57-67, 70 and 73-76 will be pending in this application.

Applicants request entry of the amendments and consideration and allowance of the claims.

The Restriction Requirement

The Examiner has required restriction of this application under 35 U.S.C. §§ 121 and 372 to one of the following groups:

- 1) Claims 1-32, drawn to a method of treating a disease associated with ICT1030 peptide in a mammal using a composition that enhances expression or activity of ICT1030;
- 2) Claims 33-47 and 57-73, drawn to a method of treating a disease associated with ICT1031 peptide in a mammal using a composition that reduces expression or activity of ICT1031;
- 3) Claims 33-43, 51-53 and 57-73, drawn to a method of treating a disease associated with ICT1024 peptide in a mammal using a composition that reduces expression or activity of ICT1024;
- 4) Claims 33-43 and 54-73, drawn to a method of treating a disease associated with ICT1025 peptide in a mammal using a composition that reduces expression or activity of ICT1025; and
- 5) Claims 33-43, 48-50 and 57-73, drawn to a method of treating a disease associated with ICT1003 peptide in a mammal using a composition that reduces expression or activity of ICT1003.

The Examiner asserts that the inventions listed as Groups 1-5 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features.

Applicants hereby elect the claims of Group 3 (claims 33-43, 51-53 and 57-73) for initial substantive examination. Applicants make this election expressly without waiver of their right to file for and to obtain claims directed to the non-elected subject matter in continuing applications claiming priority and benefit herefrom.

CONCLUSION

Applicants request favorable consideration of the application and early allowance of the pending claims. To that end, the Examiner is invited to telephone the undersigned to discuss any issue pertaining to this reply.

Respectfully submitted,



Jane T. Gunnison (Reg. No. 38,479)

Attorney for Applicants

Alla Brukman (Reg. No. 61,254)

Agent for Applicants

c/o ROPES & GRAY LLP

Customer No. 1473

1211 Avenue of the Americas

New York, New York 10036

Tel.: (212) 596-9000

Fax: (212) 596-9090